



Attorney Docket: 019031-000010

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Michael D. Ruff, et al.

Confirmation No.:

Serial Number: 10/643,319

Group Art Unit:

Filed: August 19, 2003

Examiner:

For: Coated Dibasic Calcium Phosphate

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.56 AND 37 C.F.R. § 1.97**

It is respectfully requested that the documents listed on the attached Form PTO/SB/08A be considered by the Patent and Trademark Office in the above-referenced application and made of record therein. A full text copy of each of the relevant documents is enclosed. This information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office Action on the merits, whichever event occurs last.

Respectfully submitted,

By:

Jennifer L. Skord

Registration No. 30,687
Attorney for Applicant
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October 17, 2003

Date

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Katie M. Efland



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PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<p>Substitute for form 1449A/PTO</p> <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p>(use as many sheets as necessary)</p>			Complete if Known	
			Application Number	10/643,319
			Filing Date	August 19, 2003
			First Named Inventor	Michael D. Ruff
			Group Art Unit	
			Examiner Name	
Sheet	1	of	3	Attorney Docket Number
019031-000010				

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard St.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

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Only an English Abstract. No Japanese test.



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Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Complete if Known	
Sheet	2	of	3	Application Number	10/643,319
				Filing Date	August 19, 2003
				First Named Inventor	Michael D. Ruff
				Group Art Unit	
				Examiner Name	
				Attorney Docket Number	019031-000010

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
G		MERCK & CO, INC., The Merck Index, Encyclopedia of Chemicals, Drugs and Biologicals, 1989, Page 256 (Definitions 1699, 1700 and 1701).	
H		TESS Search Record, TRI-TAB Mark, Registration No. 1,256,467, Registered November 8, 1983, for Tricalcium Phosphate	
I		TESS Search Record, CAPSUGEL Mark, Registration No. 1,174,776, Registered October 27, 1981, for Empty Gelatin Capsules	
J		TESS Search Record, EMCOMPRESS Mark, Registration No. 1,024,029, Registered November 4, 1975, for Dicalcium Phosphate Dihydrate	
K		TESS Search Record, SURELEASE Mark, Registration No. 1,402,705, Registered July 29, 1986, for Pharmaceutical Coatings	
L		TESS Search Record, AVICEL Mark, Registration No. 0,717,028, Registered June 20, 1961, for Cellulose Crystallite	
M		TESS Search Record, CELPHERE Mark, Registration No. 1,924,372, Registered October 3, 1995, for Crystalline Cellulose	
N		TESS Search Record, OPADRY TYPE F Mark, Registration No. 1,422,425, Registered December 30, 1986, for Dry Color Concentrates	
O		TESS Search Record, OPADRY Mark, Registration No. 1,214,542, Registered November 2, 1982, for Edible Film-Forming Polymers	
P		TESS Search Record, GILSONIC Mark, Registration No. 2,238,636, Registered April 13, 1999, for Ultrasonic Vibrating Sieve	
Q		TESS Search Record, MASTERFLEX Mark, Registration No. 1,398,521, Registered June 24, 1986, for Flexible Tubing	
R		TESS Search Record, MASTERFLEX Mark, Registration No. 0,828,794, Registered May 16, 1967, for Fluid Pumps	
S		TESS Search Record, GLATT Mark, Registration No. 1,213,806, Registered October 26, 1982, for Granulating Machines	

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<p>Substitute for form 1449B/PTO</p> <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p><i>(use as many sheets as necessary)</i></p>		Complete if Known	
		Application Number	10/643,319
		Filing Date	August 19, 2003
		First Named Inventor	Michael D. Ruff
		Group Art Unit	
Examiner Name			
Sheet	3	of	3
		Attorney Docket Number	
		019031-000010	

NON PATENT LITERATURE DOCUMENTS

Examiner Signature		Date Considered	
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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	10/643,319
		Filing Date	August 19, 2003
		First Named Inventor	Michael D. Ruff
		Group Art Unit	
		Examiner Name	
Total Number of Pages in This Submission		Attorney Docket Number	019031-000010

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Certified Copy of Priority Documents	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name	MOORE & VAN ALLEN JENNIFER L. SKORD, REG. NO. 30,687	
Signature		
Date	October 17, 2003	

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Signature			

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